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Dated: February 26, 2004

Signature:

(Michael D. Berger)

Docket No.: 60710-00002USC1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

F. Charles Brunicardi

Application No.: 10/656450

Confirmation No.: 8472

Filed: September 5, 2003

Art Unit: 1632

For: PROMOTER DRIVEN TISSUE SPECIFIC  
CYTOTOXIC AGENTS AND METHODS OF  
USE

Examiner: Not Yet Assigned

**DECLARATION PURSUANT TO 37 C.F.R. 1.821(f)**

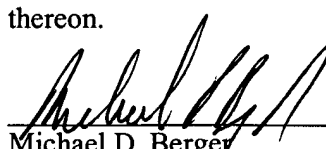
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Dear Sir:

I, Michael D. Berger, declare as follows:

1. That the content of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 C.F.R. 1.821(c) and (e), respectively, and PCT Rule 5.2, are the same in compliance with 37 C.F.R. 1.821(f).
2. That all statements made herein of my own knowledge are true and that all statements were made on the information and belief that the statements are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: February 19, 2004

  
Michael D. Berger  
Registration No. 52,616